IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.5880 OF 2005

Narendra J. Mehta. ...Petitioner.
Vs.
Union of India & Ors. ...Respondents.
....
Ms. Eva Almeida for the Petitioner.
Mr. Y.R. Mishra for the Respondent.
.....

CORAM : F.I REBELLO AND
DR.D.Y.CHANDRACHUD, JJ.

September 21, 2005.

P.C.

Rule. Heard forthwith.

2. The appeal preferred by the Petitioner was subject to the Petitioner's depositing a sum of Rs.2 lakhs. It is this order which is impugned on the ground of inability of the Petitioner to pay the amount.

3. We have heard the Learned Counsel appearing on behalf of the Petitioner and perused the averments in the petition. Considering the facts and circumstances, in order to allow the Petitioner to agitate the appeal on merits, we reduce the amount of deposit from Rs.2 lakhs to Rs.1 lakh. The Petitioner shall deposit

the same within a period of one month from today. On such deposit, the appeal to be heard. On failure to deposit, the appeal stand dismissed for non-prosecution.

4. Rule is made absolute accordingly. No order as to costs.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)